



Journal of the Senate

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Tuesday, April 8, 2003

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CALL TO ORDER

The Senate was called to order by President King at 1:00 p.m. A quorum present—40:

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Campbell	Jones	Villalobos
Carlton	Klein	Wasserman Schultz
Clary	Lawson	Webster
Constantine	Lee	Wilson
Cowin	Lynn	Wise
Crist	Margolis	
Dawson	Miller	

PRAYER

The following prayer was offered by Senator Wise:

Our Heavenly Father, we come to you today to thank you for allowing us to live in this great country. We thank you for allowing us to serve all the people of Florida.

As we watch the war on television, it should remind us of the freedoms we have in America, because of the sacrifices of our soldiers. We pray for our leaders in the military that you will guide and protect them today.

We ask that you be with our President in Washington, D.C. and our Senate President in Tallahassee. Guide us and direct us to make the right decisions which will be pleasing to you. We ask all this in your holy and precious name. And all the people said, "Amen."

PLEDGE

Senate Pages Christopher Anglin of Longwood, Deldra Marie Owens of Miami, Drew Thompson of Perry and Spencer F. Pitman of Jacksonville, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President requested Senator Jones to serve as the doctor of the day.

ADOPTION OF RESOLUTIONS

On motion by Senator Posey—

By Senators Posey, King, Alexander, Argenziano, Aronberg, Atwater, Bennett, Bullard, Campbell, Carlton, Clary, Constantine, Cowin, Crist, Dawson, Diaz de la Portilla, Dockery, Fasano, Garcia, Geller, Haridopolos, Hill, Jones, Klein, Lawson, Lee, Lynn, Margolis, Miller, Peaden, Pruitt, Saunders, Sebesta, Siplin, Smith, Villalobos, Wasserman Schultz, Webster, Wilson and Wise—

SR 2806—A resolution recognizing NASCAR and its contribution to the history, economy, and pride of the great State of Florida.

WHEREAS, in 1948, William H.G. France of Daytona Beach, Florida, had the vision and leadership to create the National Association for Stock Car Auto Racing (NASCAR) to organize and promote stock car racing, a sport conducted at a patchwork of tracks with differing rules scattered throughout America, and

WHEREAS, from NASCAR's first race held on the hard-packed sand of Daytona Beach on February 15, 1948, France succeeded, with dogged determination, in legitimizing the sport and laying the groundwork for what would later become a worldwide phenomenon, and

WHEREAS, in 1972, Bill France, Sr., passed the reins of leadership to his son, Bill France, Jr., who would place his own unique brand upon NASCAR, taking it to new heights, expanding its reach nationwide - and worldwide - through aggressive marketing partnerships and television broadcasts reaching more than 100 countries in 21 languages, and racing NASCAR into the 21st century, placing it on a par with other great American sports, and

WHEREAS, NASCAR has risen to meteoric heights of popularity, envied by other sports, with more than 75 million American race fans, from factory workers to corporate executives to United States Presidents, and 13 million fans attending races in the four major competitive series in a single season. Stretching across the nation, NASCAR sanctions 12 racing series, from weekly dirt track series to the premier Winston Cup Series, representing 2,200 events over 120 tracks in 40 states. A single NASCAR Winston Cup race draws a crowd larger than the Super Bowl, a World Series game, and an NBA Finals game, combined, and

WHEREAS, from its early stars, Lee Petty, "Fireball" Roberts, and Tiny Lund, to the legends, Richard Petty, David Pearson, Bobby Allison, and Dale Earnhardt, to today's heroes, Jeff Gordon, Tony Stewart, and Dale Earnhardt, Jr., NASCAR has fostered brave, honorable, and exciting champions who serve as role models to both young and old, and

WHEREAS, in a world where sports fans are let down by scandals involving their heroes, NASCAR remains above the fray, weaving throughout its sport the golden threads of American values: competition, triumph, loyalty, devotion, teamwork, courage, perseverance, and spirit, and

WHEREAS, NASCAR stands as the preeminent example of the strength of family, from its founders, the France family, who remain at the helm of the sport, to the Pettys, the Allisons, the Earnhardts, the Jarretts, the Bodines, the Labontes, the Hendricks, the Waltrips, the Burtons, and so many others, who have devoted themselves to cultivating a true family sport, and

WHEREAS, with worldwide appeal, world-class competitions, and world-renowned champions, NASCAR remains grounded in its Florida roots, bringing honor and pride to this great state, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That this body pauses in its deliberations to proudly recognize NASCAR for its enduring contributions to the history, economy, and pride of the State of Florida and recognizes April 8, 2003, as "NASCAR Day."

—was introduced out of order and read by title. On motion by Senator Posey, **SR 2806** was read the second time in full and adopted.

On motion by Senator Diaz de la Portilla—

By Senators Diaz de la Portilla, Wasserman Schultz and Argenziano—

SR 2790—A resolution supporting the right of the people of Taiwan to participate in United Nations and World Health Organization affairs and to decide their own future.

WHEREAS, the people of the State of Florida enjoy a good relationship of economic cooperation and cultural exchange with the people of Taiwan, and

WHEREAS, Taiwan is a democratic country with an economy complementary to that of the United States and a peace-loving culture that shares our cherished values of freedom and human rights, and

WHEREAS, the exclusion of Taiwan from the United Nations and its specialized agencies, such as the World Health Organization, has not only weakened the foundation of peace and security in East Asia, but has also hampered the cross-border precautionary mechanism against infectious diseases such as HIV/AIDS, enterovirus, Dengue fever, and SARS, and

WHEREAS, an isolated Taiwan is not in the interest of our goals of promoting peace, democracy, and prosperity in the Asia Pacific region, and

WHEREAS, a threatened Taiwan will not frighten the Taiwanese people into giving up their pursuit of freedom, equality, and dignity, and

WHEREAS, the members of The Florida Senate are seriously concerned about our mutual interests with Taiwan, our important trading partner, good friend, and long-standing ally, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the members of this body join unanimously to urge the United Nations and the World Health Organization to facilitate Taiwan's participation and contribution.

BE IT FURTHER RESOLVED that the members of this body join unanimously in support of a free and democratic Taiwan.

—was introduced out of order and read by title. On motion by Senator Diaz de la Portilla, **SR 2790** was read the second time in full and adopted.

On motion by Senator Carlton—

By Senator Carlton—

SR 1990—A resolution commending New College of Florida for its prominence as a national leader in undergraduate liberal arts education.

WHEREAS, New College of Florida has a distinctive mission in serving as the only public four-year residential liberal arts honors college in the State of Florida, and

WHEREAS, New College of Florida is the only public liberal arts college and the only institution of higher learning in the state that is named in Barron's Guide to the 56 most selective colleges in the United States, and

WHEREAS, New College of Florida was recently named by the Princeton Review as one of the best 345 colleges in the United States in 2003, and

WHEREAS, Kiplinger's Personal Finance magazine recently ranked New College of Florida the seventh-best value in public higher education in 2003, and

WHEREAS, New College of Florida was the only institution of higher learning in Florida named a "Best Buy" by the 2003 Fiske Guide to Colleges, and

WHEREAS, New College of Florida is a national leader in the percentage of students who obtain graduate degrees, and

WHEREAS, New College of Florida has produced one of the highest per capita percentages of Fulbright Scholars in the nation, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate commends New College of Florida for demonstrating excellence in higher education and achieving national prominence among public institutions of higher learning.

—was introduced out of order and read by title. On motion by Senator Carlton, **SR 1990** was read the second time in full and adopted.

At the request of Senator Jones—

By Senator Jones—

SR 692—A resolution recognizing April 2003 as Craniosacral Therapy Awareness Month.

WHEREAS, craniosacral therapy was pioneered and developed by osteopathic physician John E. Upledger at Michigan State University, and

WHEREAS, craniosacral therapy is a gentle method of manually evaluating and normalizing the environment of the membranes and cerebrospinal fluid that surround and protect the brain and spinal cord, and

WHEREAS, restrictions or imbalances in the craniosacral system may directly affect all aspects of the central nervous system, and

WHEREAS, these problems can be detected and corrected by a skilled therapist using simple methods of palpation to improve the performance of the central nervous system, and

WHEREAS, by complementing the body's natural healing processes, craniosacral therapy is increasingly used as a preventive health measure for its ability to bolster resistance to disease and to address a wide range of medical problems associated with pain and dysfunction, including migraine headaches, chronic neck and back pain, learning disabilities, post-traumatic stress disorder, chronic fatigue, scoliosis, infantile disorders, motor coordination impairments, and other problems, and

WHEREAS, the Legislature recognizes craniosacral therapy for its use as a preventive health measure, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes April 2003 as "Craniosacral Therapy Awareness Month."

—**SR 692** was introduced, read and adopted by publication.

At the request of Senator Jones—

By Senator Jones—

SR 1562—A resolution recognizing the value of Florida's Apprenticeship programs in educating and training the workers needed to perform the high-skill, high-wage jobs required to support the state's developing economy, and recognizing March 6, 2003, as Apprenticeship Day 2003 in the State of Florida.

WHEREAS, apprenticeship programs are recognized throughout the world as providing one of the most effective, efficient, and economical means of educating and training workers who are needed to perform high-skill, high-wage jobs in the building trades, and

WHEREAS, since being authorized by the Florida Legislature in 1947, apprenticeship programs in Florida have educated and trained tens of thousands of workers to perform capably in every facet of the building trades, providing the state's builders with the highly skilled personnel required to meet their employment needs and enabling the state's builders to be competitive leaders in developing the state's economy, and

WHEREAS, through the strong and viable partnerships that have been developed by and among business and labor in Florida, there are now 314 approved apprenticeship programs operating in the state, actively educating and training 11,953 workers, and

WHEREAS, workers who graduate from approved apprenticeship programs in Florida consistently earn high wages, experience low rates of need for public assistance, provide economic stability among the rank and file of Florida's workforce, and supply the lifeblood of the state's builders, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate acknowledges the immeasurable value of the state's approved apprenticeship programs to Florida's economy and recognizes March 6, 2003, as Apprenticeship Day 2003 in the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Director of the Division of Workforce Development of the Florida Department of Education as a tangible token of the sentiments of the Florida Senate.

—**SR 1562** was introduced, read and adopted by publication.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Lee, the rules were waived and the Committee on Judiciary was granted permission to meet Wednesday, April 9 from 4:00 p.m. until 7:00 p.m. to consider **CS for SB 560, CS for SB 562, CS for SB 564, CS for SB 566, CS for SB 2080, CS for SB 1912, CS for SB 2120 and CS for SB 2620**. A twenty-four hour amendment deadline was set for 4:00 p.m. this day and a two-hour amendment deadline was set for 2:00 p.m. Wednesday, April 9.

RECONSIDERATION OF BILL

On motion by Senator Margolis, the Senate reconsidered the vote by which—

SB 2412—A bill to be entitled An act relating to special observances; creating s. 683.195, F.S.; designating the month of January of each year as "Florida Jewish History Month"; providing for a proclamation by the Governor to that effect; providing an effective date.

—passed April 3.

Pending further consideration of **SB 2412**, on motion by Senator Margolis, by two-thirds vote **HB 803** was withdrawn from the Committee on Governmental Oversight and Productivity.

On motion by Senator Margolis, by two-thirds vote—

HB 803—A bill to be entitled An act relating to special observances; creating s. 683.195, Florida Statutes; designating the month of January of each year as "Florida Jewish History Month"; providing for a proclamation by the Governor to that effect; providing an effective date.

—a companion measure, was substituted for **SB 2412** and by two-thirds vote read the second time by title.

On motion by Senator Margolis, by two-thirds vote **HB 803** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Atwater	Carlton
Alexander	Bennett	Clary
Argenziano	Bullard	Constantine
Aronberg	Campbell	Cowin

Crist	Jones	Saunders
Dawson	Klein	Sebesta
Diaz de la Portilla	Lawson	Siplin
Dockery	Lee	Smith
Fasano	Lynn	Villalobos
Garcia	Margolis	Wasserman Schultz
Geller	Miller	Webster
Haridopolos	Peaden	Wilson
Hill	Pruitt	Wise

Nays—None

Vote after roll call:

Yea—Posey

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Villalobos, the rules were waived and the Committee on Criminal Justice was granted permission to add **SB 736** to the agenda at the meeting on April 9. The amendment deadline for filing amendments to this bill was extended until 6:00 p.m. this day.

BILLS ON THIRD READING

SB 2500—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2003, and ending June 30, 2004, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—as amended April 3 was read the third time by title.

On motions by Senator Pruitt, **SB 2500** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Campbell	Jones	Villalobos
Carlton	Klein	Wasserman Schultz
Clary	Lawson	Webster
Constantine	Lee	Wilson
Cowin	Lynn	Wise
Crist	Margolis	
Dawson	Miller	

Nays—None

SB 2502—A bill to be entitled An act implementing the 2003-2004 General Appropriations Act; providing legislative intent; providing accounting requirements for the state universities for the 2003-2004 fiscal year; amending ss. 430.204 and 430.205, F.S.; requiring the Department of Elderly Affairs to fund certain community care services and core services for the elderly; amending s. 216.292, F.S.; authorizing the Department of Children and Family Services to transfer funds within the family safety program; amending s. 295.182, F.S.; authorizing contributions to the Florida World War II Veterans Memorial Matching Trust Fund from public bodies; amending s. 561.121, F.S.; providing that moneys in the Children and Adolescents Substance Abuse Trust Fund may also be used for the purpose of funding programs directed at reducing and eliminating substance abuse problems among adults; amending s. 409.1671, F.S.; authorizing the Department of Children and Family Services to combine current community-based care lead agency contracts for Sarasota, Manatee, and DeSoto Counties into a single contract; authorizing the Department of Children and Family Services to enter into a contract to finance, design, construct, and operate the South Florida Evaluation and Treatment Center; providing for an extended

contract period; authorizing financing for the project; amending s. 216.181, F.S.; authorizing the Department of Law Enforcement to transfer positions and associated budgets and a certain percentage of salary rate between budget entities and providing requirements with respect thereto; authorizing the Correctional Privatization Commission to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under authority of the commission or the Department of Juvenile Justice; amending s. 16.555, F.S.; authorizing use of the Crime Stoppers Trust Fund to pay for salaries and benefits and other expenses of the Department of Legal Affairs; amending s. 985.4075, F.S.; prohibiting the use of juvenile justice appropriations made for operations as one-time startup funding for fixed capital outlay; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; amending s. 287.161, F.S.; requiring the Department of Management Services to charge all persons receiving transportation from the executive aircraft pool a specified rate; amending s. 110.116, F.S.; authorizing the Department of Management Services to contract with a vendor to provide a personnel information system; amending s. 110.2035, F.S.; deleting provisions authorizing the Department of Management Services to adopt emergency rules to implement a classification and compensation program; amending s. 43 of chapter 2002-402, Laws of Florida, delaying the expiration of certain changes to s. 110.2035, F.S., relating to the classification and compensation program; amending s. 110.12315, F.S.; providing copayment requirements for the state employees' prescription drug program; amending s. 110.1239, F.S.; providing requirements for the funding of the state group health insurance program; amending s. 112.061, F.S.; providing for computation of travel time and reimbursement for public officers' and employees' travel; amending s. 121.71, F.S.; providing for recognition and usage of current available excess assets of the Florida Retirement System Trust Fund to offset employer contribution rates for the Florida Retirement System; amending s. 468.404, F.S.; requiring talent agency license fees equal to costs of regulation; amending s. 252.373, F.S.; providing for use of funds of the Emergency Management, Preparedness, and Assistance Trust Fund, including the use of certain funds as state matching funds for federally approved Hazard Mitigation Grant Program projects; amending s. 402.3017, F.S.; providing for administration of the Teacher Education and Compensation Helps (TEACH) scholarship program by the Agency for Workforce Innovation; amending s. 411.01, F.S.; providing priority for placement of children in the school readiness program; amending s. 288.063, F.S.; providing for funds for certain transportation projects approved by the Office of Tourism, Trade, and Economic Development to be subject to reversion; amending s. 320.08058, F.S.; authorizing proceeds from the Professional Sports Development Trust Fund to be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games; amending s. 339.08, F.S.; transferring \$200 million from the State Transportation Trust Fund to the General Revenue Fund; reducing the amount transferred from certain transportation calculation requirements; amending s. 443.036, F.S.; providing a definition and an application of an alternative base period for unemployment compensation; providing requirements and limitations; requiring employers to respond to requests for information by the Agency for Workforce Innovation; providing a penalty for failure to respond; providing for adjustments in determinations of monetary eligibility; amending s. 61 of chapter 2002-402, Laws of Florida, delaying the expiration of certain changes to s. 215.20, F.S., relating to the contributions of certain trust funds to the General Revenue Fund; amending s. 63 of chapter 2002-402, Laws of Florida; delaying the expiration of certain changes to s. 215.22, F.S., relating to an exemption from appropriation provided for certain trust funds; amending s. 65 of chapter 2002-402, Laws of Florida; delaying the expiration of certain changes to s. 18.10, F.S., relating to deposits and investments of state money; amending s. 67 of chapter 2002-402, Laws of Florida; delaying the expiration of certain changes to s. 18.125, F.S., relating to the investment of certain trust funds; amending s. 69 of chapter 2002-402, Laws of Florida; delaying the expiration of certain changes to s. 14.2015, F.S., relating to the Economic Development Trust Fund; amending s. 71 of chapter 2002-402, Laws of Florida; delaying the expiration of certain changes to s. 240.4075, F.S., relating to the Nursing Student Loan Forgiveness Program; amending s. 73 of chapter 2002-402, Laws of Florida; delaying the expiration of certain changes to s. 385.207, F.S., relating to care and assistance of persons with epilepsy; amending s. 75 of chapter 2002-402, Laws of Florida; delaying the expiration of certain changes to s. 860.158, F.S., relating to the interest earned on moneys in the Florida Motor Vehicle Theft Prevention Trust Fund; amending s. 77 of chapter 2002-402, Laws of Florida; delaying the expiration of certain changes to s.

938.01, F.S., relating to the interest earned on certain trust funds; reenacting s. 215.32(2)(b), F.S., to implement the transfer of moneys to the Working Capital Fund from certain trust funds; providing for the effect of a veto of a specific appropriation or proviso to which implementing provisions refer; providing applicability to other legislation; incorporating by reference specified performance measures and standards directly linked to the appropriations made in the 2002-2004 General Appropriations Act, as required by the Government Performance and Accountability Act of 1994; providing for severability; providing effective dates.

—as amended April 3 was read the third time by title.

MOTION

Senator Fasano moved that the rules be waived to allow consideration of his late filed amendment 802678. The motion failed, therefore the amendment was not considered.

On motions by Senator Pruitt, **SB 2502** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Campbell	Jones	Villalobos
Carlton	Klein	Wasserman Schultz
Clary	Lawson	Webster
Constantine	Lee	Wilson
Cowin	Lynn	Wise
Crist	Margolis	
Dawson	Miller	

Nays—None

CS for SB 350—A bill to be entitled An act relating to fees collected by law enforcement agencies; amending s. 938.07, F.S.; increasing the court cost imposed upon a conviction for driving under the influence or boating under the influence; increasing the amount of such court cost to be deposited for use by the Department of Law Enforcement; providing for that amount to be deposited into the Operating Trust Fund of the department; amending s. 943.053, F.S.; establishing a schedule of fees to be collected by the Department of Law Enforcement for producing criminal history information; authorizing the executive director of the department to reduce such fees for good cause; providing an effective date.

—was read the third time by title.

On motions by Senator Crist, **CS for SB 350** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Crist	Lee
Alexander	Dawson	Lynn
Argenziano	Diaz de la Portilla	Margolis
Aronberg	Dockery	Miller
Atwater	Fasano	Peaden
Bennett	Garcia	Posey
Bullard	Geller	Pruitt
Campbell	Haridopolos	Saunders
Carlton	Hill	Sebesta
Clary	Jones	Siplin
Constantine	Klein	Smith
Cowin	Lawson	Villalobos

Wasserman Schultz
Webster
Nays—None

Wilson

Wise

Yeas—40

Mr. President
Alexander
Argenziano
Aronberg
Atwater
Bennett
Bullard
Campbell
Carlton
Clary
Constantine
Cowin
Crist
Dawson

Diaz de la Portilla
Dockery
Fasano
Garcia
Geller
Haridopolos
Hill
Jones
Klein
Lawson
Lee
Lynn
Margolis
Miller

Peaden
Posey
Pruitt
Saunders
Sebesta
Siplin
Smith
Villalobos
Wasserman Schultz
Webster
Wilson
Wise

CS for SB 354—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Testing Program; repealing s. 1009.539, F.S.; abolishing the program; providing an effective date.

—was read the third time by title.

On motions by Senator Carlton, **CS for SB 354** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President
Alexander
Argenziano
Aronberg
Atwater
Bennett
Bullard
Campbell
Carlton
Clary
Constantine
Cowin
Crist
Dawson

Diaz de la Portilla
Dockery
Fasano
Garcia
Geller
Haridopolos
Hill
Jones
Klein
Lawson
Lee
Lynn
Margolis
Miller

Peaden
Posey
Pruitt
Saunders
Sebesta
Siplin
Smith
Villalobos
Wasserman Schultz
Webster
Wilson
Wise

Nays—None

CS for SB 366—A bill to be entitled An act relating to funding for K-12 programs; amending s. 1011.62, F.S.; providing the district cost differential to be used for the 2003-2004 fiscal year; providing an effective date.

—was read the third time by title.

On motions by Senator Carlton, **CS for SB 366** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President
Alexander
Argenziano
Aronberg
Atwater
Bennett
Bullard
Campbell
Carlton
Clary
Constantine
Cowin
Crist
Dawson

Diaz de la Portilla
Dockery
Fasano
Garcia
Geller
Haridopolos
Hill
Jones
Klein
Lawson
Lee
Lynn
Margolis
Miller

Peaden
Posey
Pruitt
Saunders
Sebesta
Siplin
Smith
Villalobos
Wasserman Schultz
Webster
Wilson
Wise

Nays—None

CS for SB 376—A bill to be entitled An act relating to taxation of insurance premiums; amending s. 626.932, F.S.; changing the distribution of the surplus lines tax; amending s. 626.938, F.S.; changing the distribution of the tax on independently procured coverages; providing an effective date.

—was read the third time by title.

On motions by Senator Clary, **CS for SB 376** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Nays—None

CS for SB 388—A bill to be entitled An act relating to state revenue programs; amending s. 195.022, F.S.; limiting the responsibility of the Department of Revenue to furnish certain ad valorem tax forms to specified local officials; requiring certain counties to reproduce the forms; providing an effective date.

—was read the third time by title.

On motions by Senator Clary, **CS for SB 388** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President
Alexander
Argenziano
Aronberg
Atwater
Bennett
Bullard
Campbell
Carlton
Clary
Constantine
Cowin
Crist
Dawson

Diaz de la Portilla
Dockery
Fasano
Garcia
Geller
Haridopolos
Hill
Jones
Klein
Lawson
Lee
Lynn
Margolis
Miller

Peaden
Posey
Pruitt
Saunders
Sebesta
Siplin
Smith
Villalobos
Wasserman Schultz
Webster
Wilson
Wise

Nays—None

CS for SB 390—A bill to be entitled An act relating to health care; amending s. 400.23, F.S.; delaying the effective date of certain requirements concerning hours of direct care per resident for nursing home facilities; amending s. 409.904, F.S.; revising requirements for certain optional payments under the Medicaid program; amending s. 409.906, F.S.; deleting provisions authorizing payment for adult dental services; revising requirements for hearing and visual services to limit such services to persons younger than 21 years of age; amending s. 409.908, F.S., relating to reimbursement of Medicaid providers; conforming a cross-reference; amending s. 409.9081, F.S.; providing a copayment under the Medicaid program for certain nonemergency hospital visits; amending s. 409.912, F.S.; authorizing the Agency for Health Care Administration to establish certain protocols for categories of drugs; removing certain requirements for prior authorization for nursing home residents and institutionalized adults; prohibiting value-added rebates to a pharmaceutical manufacturer; deleting provisions authorizing certain benefits in conjunction with supplemental rebates; amending s. 409.9122, F.S.; revising the percentage of Medicaid recipients required to be enrolled in managed care; amending s. 409.915, F.S.; increasing the requirements for county contributions to Medicaid; amending s. 409.815, F.S., relating to benefits coverage; specifying a maximum annual benefit for children's dental services; revising requirements for the Agency for Health Care Administration in distributing moneys under the regular disproportionate share program for the 2003-2004 fiscal year; providing legislative findings; providing a contingency with respect to specified provisions of the act taking effect; providing an effective date.

—as amended April 3 was read the third time by title.

On motions by Senator Peaden, **CS for SB 390** as amended was passed by the required constitutional two-thirds vote of the membership and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Saunders
Bennett	Haridopolos	Sebesta
Bullard	Hill	Siplin
Campbell	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	
Diaz de la Portilla	Peaden	

Nays—3

Alexander	Argenziano	Dockery
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CS for SB 406—A bill to be entitled An act relating to the Department of Transportation; creating s. 215.617, F.S.; authorizing the department to issue revenue bonds financed by the repayment of loans from the state-funded infrastructure bank; amending s. 338.165, F.S.; providing for toll rate adjustments for certain toll roads; authorizing the department to request the Division of Bond Finance to issue bonds secured by toll revenues collected on the Beeline-East Expressway, the Sunshine Skyway Bridge, and the Pinellas Bayway toll facilities to provide funding for transportation projects on the State Highway System; amending s. 338.2275, F.S.; increasing the cap on the amount of bonds that may be issued to fund approved turnpike projects; amending s. 338.231, F.S.; advancing a toll rate adjustment; amending s. 339.12, F.S.; removing the limit for transportation project advances for certain inland counties for certain improvements to the State Highway System; providing an effective date.

—was read the third time by title.

On motions by Senator Webster, **CS for SB 406** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dawson	Miller
Alexander	Diaz de la Portilla	Peaden
Argenziano	Dockery	Posey
Aronberg	Fasano	Pruitt
Atwater	Garcia	Saunders
Bennett	Geller	Sebesta
Bullard	Haridopolos	Siplin
Campbell	Hill	Smith
Carlton	Jones	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise

Nays—1

Klein

SPECIAL ORDER CALENDAR

On motion by Senator Pruitt—

CS for SB 1164—A bill to be entitled An act relating to property rights; amending s. 70.001, F.S., the “Bert J. Harris, Jr., Private Property Rights Protection Act”; providing for the state land planning agency

to receive notice of claims; amending procedures for determining a governmental entity’s final decision identifying the allowable uses for a property; providing that enactment of a law or adoption of a regulation does not constitute applying the law or regulation; providing for a waiver of sovereign immunity for liability; providing an effective date.

—was read the second time by title.

Senator Geller moved the following amendment which was adopted:

Amendment 1 (320522)—On page 2, line 21, after “*decision*” insert: *,for purposes of the act,*

Senator Margolis moved the following amendment which failed:

Amendment 2 (645082)—On page 3, line 15, after “*subdivisions*,” insert: *prospectively*

Senator Lee moved the following amendment which was adopted:

Amendment 3 (211300)(with title amendment)—On page 3, between lines 18 and 19, insert:

Section 2. *Private property rights and regional reservoirs.—*

(1) *The Legislature finds that construction of a regional reservoir designed to store more than 10 billion gallons of water may inordinately burden nearby real property because of the proximity of the reservoir and may result in a loss of value for the property owner. Therefore, a special district or regional water supply authority that is authorized to construct, operate, and maintain such a regional reservoir shall be deemed a governmental entity for purposes of section 70.001, Florida Statutes, the Bert J. Harris, Jr., Private Property Rights Protection Act.*

(2) *This section provides a cause of action for governmental actions that may not rise to the level of a taking under the State Constitution or the United States Constitution. This section may not necessarily be construed under the case law regarding takings if the governmental action does not rise to the level of a taking. The provisions of this section are cumulative and do not abrogate any other remedy lawfully available, including any remedy lawfully available for governmental actions that rise to the level of a taking. However, a governmental entity shall not be liable more than once for compensation due to an action of the governmental entity that results in a loss of value for a subject real property.*

(3) *Each owner of real property located within 10,000 feet of a site selected for the construction of a regional reservoir as described in subsection (1) may present a claim for compensation in writing to the head of the governmental entity on or before December 31, 2004, for a loss in property value resulting from the proximity of the reservoir. For each claim presented under this section, section 70.001, Florida Statutes, applies, except when there is conflict with this act, the provisions of this act shall govern.*

(a) *The property owner must submit along with the claim a bona fide, valid appraisal that supports the claim and demonstrates the loss in fair market value to the real property.*

(b) *A claim under this section shall be presented only to the governmental entity that is authorized to construct, operate, and maintain the reservoir.*

(c) *This act is repealed effective January 1, 2005. However, the repeal of this act shall not affect a claim filed on or before December 31, 2004.*

(4) *The Legislature recognizes that construction and maintenance of the reservoir may not interfere with allowable uses of real property located within 10,000 feet of the reservoir. However, construction of the reservoir and its proximity to certain real property may result in an actual loss to the fair market value of the real property. Therefore, any offer of compensation by the governmental entity shall be based solely on the loss of value to the property owner as a result of the proximity of the reservoir and not on the effects the reservoir has on existing uses or on a vested right to a specific use of real property.*

(a) *Notwithstanding section 70.001, Florida Statutes, the governmental entity to whom a claim is presented shall, not later than 180 days after receiving such claim:*

1. *Make a written offer to purchase the real property if there is more than a 50-percent loss in value to the real property as a result of the proximity of the reservoir and if the property owner is a willing seller;*

2. *Make a written offer to purchase an interest in rights of use which may become transferable development rights to be held, sold, or otherwise disposed of by the governmental entity; or*

3. *Terminate negotiations because there is no measurable loss in value to the subject real property.*

(b) *An offer by the governmental entity to purchase the property in fee or purchase an interest in rights of use under this section shall cover the cost of the appraisal required in subsection (3).*

(5) *During the 180-day period, unless the property owner accepts a written offer for purchase pursuant to subparagraph (4)(a)1. or 2., the governmental entity shall issue a final decision stating that:*

(a) *The real property has a loss in value due to an inordinate burden on the property resulting from the proximity of the reservoir and the governmental entity and property owner cannot reach agreement on the amount of compensation; or*

(b) *There is no measurable loss in value to the real property resulting from the proximity of the reservoir.*

Failure of the governmental entity to issue a final decision as required by this subsection shall cause the written offer or termination of negotiations required in subsection (4) to operate as a final decision. As a matter of law, this final decision constitutes the last prerequisite to judicial review of the merits for the purposes of the judicial proceeding provided for in section 70.001, Florida Statutes.

(6) *The circuit court, for purposes of this section, shall determine whether, considering the written offer and final decision, the governmental entity has inordinately burdened the subject real property. Following a determination that the governmental entity has inordinately burdened the real property, the court shall impanel a jury to determine the total amount of compensation to the property owner for the loss in value due to the inordinate burden to the subject real property.*

(7) *Pursuant to section 70.001, Florida Statutes, the court may award reasonable costs and attorney's fees and the court shall determine the amount. If the court awards the property owner reasonable costs and attorney's fees, the costs shall include the cost of the appraisal required in subsection (3).*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 12, after the semicolon (;) insert: providing legislative findings with respect to loss of property values due to the proximity of a regional water reservoir; authorizing a cause of action for a property owner; specifying a period during which a property owner may present a claim for compensation to the governmental entity that constructs, operates, and maintains the reservoir; providing for future repeal of the act; providing requirements for the offer of compensation by a governmental entity; providing for judicial review under the Bert J. Harris, Jr., Private Property Rights Protection Act; providing for an award of costs and attorney's fees;

Pursuant to Rule 4.19, **CS for SB 1164** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Sebesta—

CS for SB 1986—A bill to be entitled An act relating to public construction bonds; amending s. 255.05, F.S.; providing for a mandatory form for public construction bonds; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1986** was placed on the calendar of Bills on Third Reading.

On motion by Senator Clary—

SB 712—A bill to be entitled An act relating to emergency lights on vehicles; amending ss. 316.2397, 316.2398, F.S.; revising penalties for showing or displaying certain lights; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 712** was placed on the calendar of Bills on Third Reading.

On motion by Senator Smith—

CS for CS for CS for SB 310—A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S.; creating a Child Abuse Prevention and Intervention license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 310** was placed on the calendar of Bills on Third Reading.

On motion by Senator Villalobos—

SB 488—A bill to be entitled An act relating to probation or community control; amending s. 948.03, F.S.; providing requirements for measuring the distance from an offender's place of residence to a school, day care center, park, playground, or other place where children congregate for purposes of complying with a court-imposed condition prohibiting the offender from living within a specified distance from those facilities; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 488** was placed on the calendar of Bills on Third Reading.

On motion by Senator Pruitt—

SB 1162—A bill to be entitled An act relating to taxation; reviving and reenacting s. 125.0104(7), F.S., as amended, and s. 192.0105, F.S.; abrogating a repeal of laws relating to the tourist development tax and the Florida Taxpayer's Bill of Rights notwithstanding a repeal scheduled under s. 11, ch. 2000-312, Laws of Florida; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1162** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1958** was deferred.

On motion by Senator Webster—

SB 2082—A bill to be entitled An act relating to the disposition of fetal remains; creating s. 383.33625, F.S.; providing a popular name; providing that where a health practitioner has custody of fetal remains following a spontaneous fetal demise, the health practitioner must notify the mother of her option of burial or cremation of the fetal remains; providing requirements with respect to notification; directing the Department of Health to develop forms for health practitioners; providing that where a facility has custody of fetal remains following a spontaneous fetal demise, the facility must notify the mother of her option of burial or cremation of the fetal remains; directing the Agency for Health Care Administration to develop forms for facilities; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2082** was placed on the calendar of Bills on Third Reading.

On motion by Senator Pruitt—

CS for SB 266—A bill to be entitled An act relating to water control districts; amending s. 298.54, F.S.; providing for apportionment of maintenance taxes on the basis of subsequent improvements; providing for apportioning such taxes equally to equally benefitted acres; creating s. 298.675, F.S.; limiting liability of water control districts for injuries resulting from third-party use of district lands, rights-of-way, works, or easements for specified activities, facilities, and purposes; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 266** was placed on the calendar of Bills on Third Reading.

On motion by Senator Villalobos—

SB 1648—A bill to be entitled An act relating to the collecting of blood and biological specimens by the Department of Law Enforcement; amending s. 948.03, F.S.; requiring that each sex offender placed on probation or community control submit an approved biological specimen to be registered with the DNA data bank; amending s. 943.325, F.S.; requiring that, in addition to a blood specimen, an approved biological specimen be collected from a person convicted of specified offenses who is incarcerated or in the custody of the Department of Juvenile Justice; providing for collection of specimens; requiring that the sheriff secure, process, and transfer to the Department of Law Enforcement the blood and biological specimens collected from persons who are not incarcerated; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1648** was placed on the calendar of Bills on Third Reading.

On motion by Senator Posey—

SB 1670—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; repealing the exemption for ostrich feed; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1670** was placed on the calendar of Bills on Third Reading.

MOTION

On motion by Senator Lee, the rules were waived and time of recess was extended until completion of all bills remaining on the Special Order Calendar, announcements and motions.

On motion by Senator Posey—

SB 1696—A bill to be entitled An act relating to the tax on sales, use, and other transactions; repealing s. 212.031(9), F.S.; repealing the exemption from the tax on rental or license fees for the use of real property which applies to charges for the rental, lease, sublease, or license for the use of a skybox, luxury box, or other box seats during a high school or college football game; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1696** was placed on the calendar of Bills on Third Reading.

On motion by Senator Webster—

SB 1272—A bill to be entitled An act relating to chop shops; amending s. 812.16, F.S.; including airbags and airbag assemblies within the definition of the term “major component part” for purposes of provisions prohibiting the operation of a chop shop and authorizing the seizure and forfeiture of parts and vehicles; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1272** was placed on the calendar of Bills on Third Reading.

On motion by Senator Wise—

CS for SB 148—A bill to be entitled An act relating to specialty license plates; creating s. 320.08068, F.S.; creating a specialty license plate for motorcycles; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for SB 148** to **HB 287**.

Pending further consideration of **CS for SB 148** as amended, on motion by Senator Wise, by two-thirds vote **HB 287** was withdrawn from the Committees on Transportation; Finance and Taxation; Appropriations Subcommittee on Transportation and Economic Development; and Appropriations.

On motion by Senator Wise—

HB 287—A bill to be entitled An act relating to specialty license plates; creating s. 320.08068, F.S.; creating a specialty license plate for motorcycles; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—a companion measure, was substituted for **CS for SB 148** as amended and read the second time by title.

MOTION

On motion by Senator Wise, the rules were waived to allow the following amendment to be considered:

Senator Wise moved the following amendment which was adopted:

Amendment 1 (622498)—On lines 33-43, delete those lines and insert:

(a) *Twenty-five percent to the Brain and Spinal Cord Injury Program Trust Fund.*

(b) *Twenty-five percent to Prevent Blindness Florida.*

(c) *Twenty-five percent to the Foundation for Vocational Rehabilitation to support the Personal Care Attendant Program pursuant to s. 413.402.*

(d) *Twenty-five percent to the Florida Association of Centers for Independent Living for the purpose of setting up Direct-Support Organizations for each center, and for programs and activities serving disabled Floridians. Each center participating in the development of a direct-support organization shall be eligible to apply through the Association for a start-up grant of up to \$50,000. Thereafter, to the extent that funds are available, each participating center may apply for funds in the form of matching grants. The first year, the centers shall provide 25 cents for each dollar requested. The second year, the center shall provide 50 cents to each dollar requested, and thereafter, the center shall provide a dollar for dollar match for each dollar requested. The match shall be from private, nongovernmental sources.*

Pursuant to Rule 4.19, **HB 287** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Bullard—

CS for SB 1958—A bill to be entitled An act relating to road designations; designating Steven Cranman Boulevard, Ethel Beckford Boulevard, Phicol Williams Boulevard, Arthur Mays Boulevard, and Judge Steve Levine Boulevard in Miami-Dade County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Diaz de la Portilla, the rules were waived to allow the following amendment to be considered:

Senator Diaz de la Portilla moved the following amendment which was adopted:

Amendment 1 (175152)(with title amendment)—On page 2, between lines 22 and 23, insert:

Section 6. *“Toussaint L'Ouverture Boulevard” designated; Department of Transportation to erect suitable markers.—*

(1) *State Road 944 on N.W. 54th Street in Miami-Dade County, from the west boundary of State House District 108 to U.S. 1, is designated as “Toussaint L'Ouverture Boulevard.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Toussaint L'Ouverture Boulevard as described in subsection (1).*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 8, after the semicolon (;) insert: designating “Toussaint L'Ouverture Boulevard” in Miami-Dade County;

MOTION

On motion by Senator Villalobos, the rules were waived to allow the following amendment to be considered:

Senators Villalobos, Garcia and Diaz de la Portilla offered the following amendment which was moved by Senator Villalobos and adopted:

Amendment 2 (560294)(with title amendment)—On page 2, between lines 22 and 23, insert:

Section 6. (1) *Highway 54 from Suncoast Parkway to U.S. 19 in New Port Richey is designated as “Darce Taylor Crist Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Darce Taylor Crist Highway as described in subsection (1).*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 8, after the semicolon (;) insert: designating Darce Taylor Crist Highway in New Port Richey;

Pursuant to Rule 4.19, **CS for SB 1958** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Smith, by two-thirds vote **SB 314**, **SB 316**, **SB 2044**, **SB 2116** and **SB 1324** were withdrawn from the committees of reference and further consideration.

On motion by Senator Pruitt, by two-thirds vote **CS for CS for SB 1184** was withdrawn from the Committee on Appropriations.

On motion by Senator Lee, by two-thirds vote **SB 36** was withdrawn from Rules and Calendar; and referred to the Special Master; and the Committees on Comprehensive Planning; and Finance and Taxation;

CS for CS for SB's 1334, **SB 534** and **SB 360** was withdrawn from the Committees on Commerce, Economic Opportunities, and Consumer Services; Appropriations Subcommittee on Education; and Appropriations; **CS for SB 56** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Health and Human Services; and Appropriations; **SB 1492** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Article V Implementation and Judiciary; Appropriations; and Rules and Calendar; and referred to the Committees on Finance and Taxation; Appropriations Subcommittee on Article V Implementation and Judiciary; and Appropriations; **SB 2576** was withdrawn from the Committees on Appropriations Subcommittee on Education; and Appropriations; **SB 2648** was withdrawn from the Committee on Children and Families; **CS for SB 298**, **CS for SB 306** and **SB 1182** were withdrawn from the Committee on Rules and Calendar; **SB 1070** was withdrawn from the Committees on Appropriations Subcommittee on Criminal Justice; and Appropriations; **CS for SB 1312** was withdrawn from the Committee on Comprehensive Planning; **CS for SB 1318** was withdrawn from the Committee on Criminal Justice; **CS for SB 1522** was withdrawn from the Committee on Children and Families; **CS for SB 1756**, **CS for SB 1758**, **CS for SB 1928** and **CS for SB 2054** were withdrawn from the Committee on Judiciary; **CS for SB 1776** was withdrawn from the Committees on Commerce, Economic Opportunities, and Consumer Services; and Appropriations Subcommittee on General Government; and **CS for SB 2212** was withdrawn from the Committees on Governmental Oversight and Productivity; and Appropriations Subcommittee on Education.

On motion by Senator Lawson, by two-thirds vote **SB 1208** and **SB 2524** were withdrawn from the committees of reference and further consideration.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, April 8, 2003: **CS for SB 1164**, **CS for SB 1986**, **SB 712**, **CS for CS for CS for SB 310**, **SB 488**, **SB 1162**, **CS for SB 1958**, **SB 2082**, **CS for SB 266**, **SB 1648**, **SB 1670**, **SB 1696**, **SB 1272**, **CS for SB 148**

Respectfully submitted,
Tom Lee, Chair

The Committee on Education recommends the following pass: **SB 2136** with 1 amendment

The bill was referred to the Appropriations Subcommittee on Education under the original reference.

The Committee on Commerce, Economic Opportunities, and Consumer Services recommends the following pass: **CS for SB 1374**

The Committee on Comprehensive Planning recommends the following pass: **SB 726**

The Committee on Natural Resources recommends the following pass: **SB 1956** with 1 amendment

The bills contained in the foregoing reports were referred to the Appropriations Subcommittee on Transportation and Economic Development under the original reference.

The Committee on Banking and Insurance recommends the following pass: **SB 1464** with 1 amendment, **SB 2278** with 3 amendments

The Committee on Education recommends the following pass: **SB 1810**

The bills contained in the foregoing reports were referred to the Committee on Commerce, Economic Opportunities, and Consumer Services under the original reference.

The Committee on Natural Resources recommends the following pass: **SB 2316** with 1 amendment, **SB 2338** with 2 amendments

The bills were referred to the Committee on Communication and Public Utilities under the original reference.

The Committee on Communication and Public Utilities recommends the following pass: CS for SB 1350 with 2 amendments

The Committee on Natural Resources recommends the following pass: SB 2406 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Comprehensive Planning under the original reference.

The Committee on Education recommends the following pass: SB 2272

The bill was referred to the Committee on Criminal Justice under the original reference.

The Committee on Comprehensive Planning recommends the following pass: SB 1908

The Committee on Military and Veterans' Affairs, Base Protection, and Spaceports recommends the following pass: HB 805 with 3 amendments

The bills contained in the foregoing reports were referred to the Committee on Education under the original reference.

The Committee on Communication and Public Utilities recommends the following pass: SB 2666

The Committee on Comprehensive Planning recommends the following pass: SB 1944 with 2 amendments, SB 2164 with 2 amendments

The bills contained in the foregoing reports were referred to the Committee on Finance and Taxation under the original reference.

The Committee on Military and Veterans' Affairs, Base Protection, and Spaceports recommends the following pass: SB 2562

The bill was referred to the Committee on Governmental Oversight and Productivity under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 436 with 2 amendments

The Committee on Education recommends the following pass: SB 1262

The bills contained in the foregoing reports were referred to the Committee on Health, Aging, and Long-Term Care under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 1912

The Committee on Commerce, Economic Opportunities, and Consumer Services recommends the following pass: CS for SB 1248

The bills contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Comprehensive Planning recommends the following pass: CS for SB 1754, SB 2368 with 2 amendments

The bills were referred to the Committee on Natural Resources under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 2190 with 1 amendment

The Committee on Comprehensive Planning recommends the following pass: SB 1768

The Committee on Education recommends the following pass: SB 2142, SB 2576

The Committee on Military and Veterans' Affairs, Base Protection, and Spaceports recommends the following pass: CS for SB 1992

The Committee on Transportation recommends the following pass: SB 732

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1588

The bill with committee substitute attached was referred to the Appropriations Subcommittee on Criminal Justice under the original reference.

The Committee on Education recommends committee substitutes for the following: SB 2242, SB 2296

The bills with committee substitutes attached were referred to the Appropriations Subcommittee on Education under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1202

The bill with committee substitute attached was referred to the Appropriations Subcommittee on General Government under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB's 108 and 110

The bill with committee substitute attached was referred to the Committee on Children and Families under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1350

The bill with committee substitute attached was referred to the Committee on Communication and Public Utilities under the original reference.

The Committee on Regulated Industries recommends committee substitutes for the following: SB 518, SB 574

The bills with committee substitutes attached were referred to the Committee on Comprehensive Planning under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1580

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1952

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2414

The Committee on Education recommends committee substitutes for the following: Senate Bills 1268 and 1392, SB 1418

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Finance and Taxation under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2556

The Committee on Commerce, Economic Opportunities, and Consumer Services recommends a committee substitute for the following: CS for SB 194

The Committee on Education recommends a committee substitute for the following: SB 2380

The Committee on Natural Resources recommends a committee substitute for the following: SB 2260

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2464

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Governmental Oversight and Productivity under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2518

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1928

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Health, Aging, and Long-Term Care under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1960

The Committee on Criminal Justice recommends committee substitutes for the following: SB 1224, SB 1470, SB 1630, SB 1856, SB 2366

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1286

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Education recommends a committee substitute for the following: CS for Senate Bills 1334, 534 and 360

The Committee on Natural Resources recommends a committee substitute for the following: SB 2042

The Committee on Rules and Calendar recommends committee substitutes for the following: SM 1296, SM 1360, SM 1472

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Article V Implementation and Judiciary recommends a committee substitute for the following: CS for SB 1184

The bill with committee substitute attached was referred to the Committee on Appropriations under the original reference.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Communication and Public Utilities recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Public Service Commission	
Appointees: Charles M. Davidson	01/01/2007
J. Terry Deason	01/01/2007

The Committee on Criminal Justice recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Secretary of Corrections	
Appointee: James V. Crosby	Pleasure of Governor
Parole Commission	
Appointee: Frederick B. Dunphy	06/30/2008

The Committee on Natural Resources recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Governing Board of the Northwest Florida Water Management District	
Appointees: Joyce S. Estes	03/01/2007
L. E. McMullian	03/01/2007
Marvin Wayne Bodie	03/01/2007

[The appointments contained in the foregoing reports were referred to the Committee on Ethics and Elections under the original reference.]

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Criminal Justice; Judiciary; and Senators Saunders, Campbell and Argenziano—

CS for CS for SB's 108 and 110—A bill to be entitled An act relating to protective injunctions; amending s. 784.046, F.S.; deleting the definition of the term "repeat violence" for purposes of protective injunctions; providing for an injunction for protection in cases of violence rather than in cases of repeat violence; providing requirements for a petition for protection against violence; redesignating the Domestic, Dating, and Repeat Violence Injunction Statewide Verification System in the Department of Law Enforcement as the "Violence Injunction Statewide Verification System"; providing for service of process and enforcement of an injunction for protection against violence; amending s. 784.047, F.S.; providing that it is a first-degree misdemeanor to violate an injunction for protection against violence; amending ss. 61.1825, 741.2901, 741.30, F.S., relating to the State Case Registry and domestic violence; providing for the award of attorney's fees, costs, and certain other expenses in specified circumstances; conforming provisions to changes made by the act; amending s. 784.048, F.S.; revising the elements of the offense of aggravated stalking to prohibit certain acts following an injunction for protection against violence rather than following an injunction for protection against repeat violence; amending ss. 790.06, 790.065,

F.S., relating to a license to carry a concealed weapon or firearm and the sale and delivery of firearms; conforming provisions to changes made by the act; amending s. 901.15, F.S.; authorizing arrest without a warrant when an officer has probable cause to believe that a person has knowingly committed an act of violence in violation of an injunction for protection from violence; amending s. 943.05, F.S., relating to the Criminal Justice Information Program; conforming provisions to changes made by the act; reenacting ss. 775.084(1)(d), 921.0022(3)(g), F.S., relating to violent career criminals and the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendment to s. 784.048, F.S., in references thereto; providing an effective date.

By the Committees on Commerce, Economic Opportunities, and Consumer Services; Children and Families; and Senator Lynn—

CS for CS for SB 194—A bill to be entitled An act relating to child care facilities; amending s. 402.3055, F.S.; requiring a signed affidavit attesting to the accuracy of certain information provided by an applicant for a child care facility license; amending s. 402.310, F.S.; requiring the Department of Children and Family Services to establish and impose uniform penalties relating to child care facility violations; requiring implementation not contingent upon an appropriation; creating s. 402.3105, F.S.; requiring the department to establish a database of information relating to violations, citations, and penalties imposed against child care facilities regulated by the state; requiring the Department of Children and Family Services to consult and meet the requirements of the State Technology Office; specifying database capabilities and uses of information contained therein; requiring implementation not contingent upon an appropriation; amending s. 402.316, F.S.; providing for a child care program affiliated with a church, temple, or parochial school to be exempt from regulation by the department as a religious-exempt child care program; requiring religious-exempt child care programs to display a certificate of compliance issued by an accrediting agency recognized by the department; providing requirements for accrediting agencies recognized by the department; requiring a recognized accrediting agency to conduct an initial on-site review; providing timeframes within which child care programs must meet the requirements for training and credentials; requiring recognized accrediting agencies for religious exemption to submit standards to the department; requiring the department to create and maintain a list of recognized accrediting agencies; providing that the act does not authorize the department to regulate the curriculum, discipline, or hiring practices of a religious-exempt child care program; requiring that the department notify recognized accrediting agencies of any revision in standards; requiring that a recognized accrediting agency submit an annual report; providing timeframes within which an exempt child care program must notify an accrediting agency of its transfer and termination of accreditation; prohibiting a recognized accrediting agency for religious exemption from owning, operating, or administering certain programs; requiring the department to facilitate an annual meeting; directing the Department of Children and Family Services to adopt a rule defining child care; providing for the transfer of the Child Care Program from the Department of Children and Family Services to the Department of Health; providing effective dates.

By the Committee on Regulated Industries; and Senator Constantine—

CS for SB 518—A bill to be entitled An act relating to the Florida Building Code; amending s. 553.73, F.S.; providing code amendment criteria and review requirements; providing requirements relating to regional emergency elevator access; requiring elevators in certain newly constructed or substantially renovated buildings to be keyed alike within each of the state emergency response regions; providing for these requirements to be phased in for certain existing buildings; restricting the duplication and issuance of master elevator keys; requiring the labeling of master elevator keys; allowing local fire marshals to allow substitute emergency measures for elevator access in certain circumstances; providing for appeal of the local fire marshal's decision; providing for the State Fire Marshal to enforce these provisions; encouraging builders to use applicable new technology to provide regional emergency elevator access; amending s. 553.77, F.S.; revising duties of the Florida Building Commission; deleting requirements that the commission hear certain appeals and issue declaratory statements; creating s. 553.775, F.S.; providing legislative intent with respect to the interpretation of the

Florida Building Code; providing for the commission to resolve disputes regarding interpretations of the code; requiring the commission to review decisions of local building officials and local enforcement agencies; providing for publication of an interpretation on the Building Code Information System and in the Florida Administrative Weekly; amending s. 553.79, F.S.; exempting truss placement plans from certain requirements; amending ss. 553.791 and 553.80, F.S.; authorizing local governments to impose certain fees for code enforcement; providing requirements and limitations; amending s. 553.842, F.S.; revising requirements, procedures, and limitations relating to a product evaluation and approval system; deleting Florida Building Commission authority to adopt certain rules and enter into certain contracts to administer the product evaluation and approval system; deleting system criteria; deleting provisions relating to local or statewide approval of products or methods or systems of construction; deleting provisions relating to certifications by approved product evaluation entities, testing laboratories, or certification agencies; revising commission rulemaking authority; revising commission responsibilities; authorizing the commission to expedite adoption and implementation of the existing state building code as part of the Florida Building Code pursuant to limited procedures; authorizing local governments to readopt certain amendments that were repealed from the prior Florida Building Code; amending s. 120.80, F.S.; authorizing the Florida Building Commission to conduct proceedings to review decisions of local officials; creating the Florida Construction Council as a nonprofit corporation; requiring the council to provide administrative, technical, and code-development services to the Florida Building Commission; providing for staff for the council to be provided by Florida State University; providing for a board of directors; providing terms of office; providing requirements for operations; providing rule-making authority; amending s. 399.106, F.S.; revising the membership of the Elevator Safety Technical Advisory Committee; removing provisions terminating the committee; providing an effective date.

By the Committee on Regulated Industries; and Senator Constantine—

CS for SB 574—A bill to be entitled An act relating to the Florida Building Code; providing requirements relating to regional emergency elevator access; requiring elevators in newly constructed or certain substantially renovated buildings to be keyed alike within each of the state emergency response regions; providing for these requirements to be phased in for certain existing buildings; restricting the duplication and issuance of master elevator keys; requiring the labeling of master elevator keys; allowing local fire marshals to allow substitute emergency measures for elevator access in certain circumstances; providing for appeal of the local fire marshal's decision; providing for the State Fire Marshal to enforce these provisions; encouraging builders to use applicable new technology to provide regional emergency elevator access; providing an exemption for certain buildings; providing an effective date.

By the Committees on Appropriations; Judiciary; and Senator Villalobos—

CS for CS for SB 1184—A bill to be entitled An act relating to the judicial branch of government; amending s. 27.02, F.S.; requiring the state attorney to provide discovery materials to a defendant; providing for fees to be charged unless the defendant is indigent; amending s. 27.15, F.S.; providing for payment of expenses for a state attorney to assist in another circuit; amending ss. 27.34 and 27.54, F.S.; prohibiting counties or municipalities from funding the state attorneys' offices for prosecution of violations of special laws or ordinances; eliminating provisions authorizing the use of funds for certain civil and criminal proceedings; eliminating provisions requiring counties to provide certain services and pay certain fees, expenses, and costs incurred by the state attorney or public defender; amending s. 27.3455, F.S., relating to the annual statement of revenues and expenditures; conforming provisions to changes made by the act; amending s. 27.51, F.S., relating to duties of the public defender; specifying additional indigent persons for whom the public defender is required to secure representation; deleting provisions relating to limitations on representation by public defenders in direct appeals of death penalty cases; amending s. 27.53, F.S.; providing criteria for determining whether a conflict of interest exists; prohibiting withdrawal based solely on lack of funding or excess workload; providing that circuit indigent representation committees approve qualifications;

amending s. 27.562, F.S.; providing that certain funds must be remitted to the state, not to counties; amending s. 27.58, F.S.; providing for the administration of indigent representation services; redesignating certain public defender services as indigent representation services; amending s. 28.24, F.S., relating to service charges by clerks of the circuit court; directing the clerk of court to provide access to and copies of public records held by the clerk, without charge, to any judge or justice, state attorney, public defender, and certain court staff; amending s. 29.001, F.S.; defining the elements of the state courts system; providing for using state revenue to pay certain costs associated with those elements; specifying expenses that counties must pay; amending s. 29.002, F.S.; revising the basis for funding, to implement s. 14, Art. V of the State Constitution by a specified date; amending s. 29.004, F.S.; revising and expanding the list of elements of the state courts system; amending s. 29.005, F.S.; providing for funding state attorneys' offices and paying prosecution expenses from state revenues; providing for additional expenses; amending s. 29.006, F.S.; revising and expanding the list of elements of public defenders' offices; amending s. 29.007, F.S.; revising and expanding the list of elements of court-appointed counsel; providing for funding from state revenues; amending s. 29.008, F.S., relating to county funding of court-related functions; redefining terms; providing standards that facilities and communications systems and services must meet to qualify for funding; requiring that the integrated computer system be made capable of electronically exchanging certain data using specified means at certain levels by a specific date; providing for defining local requirements and adopting a budget therefor; amending s. 43.26, F.S.; redesignating the presiding judge of the circuit as the chief judge of the circuit; providing additional powers of the chief judge; creating s. 40.001, F.S.; specifying authority for the management of the jury system; clarifying duties as to administration and processing of jurors; providing authority to the clerks of the circuit courts to contract with the court for specified services for jury processing; amending s. 92.153, F.S.; providing maximum charges for documents produced pursuant to subpoenas or records request issued by the state attorney or the public defender; amending s. 925.035, F.S.; amending standards for attorneys who handle capital cases; revising procedures and provisions relating to their compensation; amending s. 925.036, F.S.; providing for the circuit indigent representation committee to fix the rate of compensation of certain appointed counsel; prescribing the qualifications of attorneys who represent indigent defendants; amending s. 925.037, F.S.; providing for the composition, staff, responsibilities, and funding of circuit indigent representation committees; requiring the preparation and distribution of a statewide comparative budget report relating to circuit indigent representation committees by the Justice Administrative Commission; providing for the appropriation of funds for attorney's fees and expenses in criminal conflict cases and in child dependency cases and other court-appointed attorney cases; providing that the transfer of the funding source for the state courts system shall not affect the validity of pending proceedings; providing that the entity responsible for providing appropriations after July 1, 2004, shall be the successor in interest to existing contracts; providing that the successor in interest to existing contracts is not responsible for funding or payment of any service rendered prior to July 1, 2004; amending s. 43.35, F.S.; redesignating witness coordinating offices as witness coordinating programs; providing for circuit courts, rather than court administrators, to establish such programs; authorizing a judge or justice to perform any judicial act on any day of the week; repealing ss. 27.005, 27.006, 27.385, 27.52(1)(a), 29.011, 40.02(3), F.S., relating to definitions, court reporting services, budget expenditures, determination of indigency for purposes of appointing a public defender or conflict attorney, a pilot project, and the selection of jury lists; reenacting s. 943.053, F.S., relating to the dissemination of criminal justice information, to incorporate the amendments to ss. 27.51 and 27.53, F.S.; requiring a report on costs of court-related services provided by the counties; providing specific requirements; providing for reimbursement of certain expenses; providing an appropriation; providing effective dates.

By the Committee on Banking and Insurance; and Senator Alexander—

CS for SB 1202—A bill to be entitled An act relating to motor vehicle insurance costs; providing a short title; providing legislative findings and purpose; amending s. 119.105, F.S.; prohibiting disclosure of confidential police reports for purposes of commercial solicitation; amending s. 316.066, F.S.; requiring the filing of a sworn statement as a condition

to accessing a crash report stating the report will not be used for commercial solicitation; providing a penalty; creating part XIII in ch. 400, F.S., entitled the Health Care Clinic Act; providing for definitions and exclusions; providing for the licensure, inspection, and regulation of health care clinics by the Agency for Health Care Administration; requiring licensure and background screening; providing for clinic inspections; providing rulemaking authority; providing licensure fees; providing fines and penalties for operating an unlicensed clinic; providing for clinic responsibilities with respect to personnel and operations; providing accreditation requirements; providing for injunctive proceedings and agency actions; providing administrative penalties; amending s. 456.0375, F.S.; excluding certain entities from clinic registration requirements; providing retroactive application; amending s. 456.072, F.S.; providing that making a claim with respect to personal injury protection which is upcoded or which is submitted for payment of services not rendered constitutes grounds for disciplinary action; amending s. 626.7451, F.S.; providing a per-policy fee to be remitted to the insurer's Special Investigations Unit, the Division of Insurance Fraud of the Department of Financial Services, and the Office of Statewide Prosecution for purposes of preventing, detecting, and prosecuting motor vehicle insurance fraud; amending s. 627.732, F.S.; providing definitions; amending s. 627.736, F.S.; requiring that medical services be lawfully rendered; providing allowable amounts for specified services; requiring the Department of Health, in consultation with medical boards, to identify certain diagnostic tests and to adopt medical utilization guidelines for treatment of specified injuries under personal injury protection; specifying effective dates; providing for application of fee schedules; specifying effective dates; deleting certain provisions governing arbitration; providing for compliance with billing procedures; prohibiting insurers from authorizing physicians to change opinion in reports; providing requirements for physicians with respect to maintaining such reports; deleting provisions providing for a demand letter; authorizing the Financial Services Commission to determine cost savings under personal injury protection benefits under specified conditions; amending s. 627.739, F.S.; specifying application of a deductible amount; amending s. 627.745, F.S.; providing the requirements for a demand letter; revising requirements for mediation; limiting attorney's fees if matters are not resolved by mediation; amending s. 768.79, F.S.; specifying applicability of provisions relating to offer of judgment and demand for judgment; amending s. 817.234, F.S.; providing that it is a material omission and insurance fraud for a physician or other provider to waive a deductible or copayment or not collect the total amount of a charge; increasing the penalties for certain acts of solicitation of accident victims; providing mandatory minimum penalties; prohibiting certain solicitation of accident victims; providing penalties; prohibiting a person from participating in an intentional motor vehicle accident for the purpose of making motor vehicle tort claims; providing penalties, including mandatory minimum penalties; amending s. 817.236, F.S.; increasing penalties for false and fraudulent motor vehicle insurance application; creating s. 817.2361, F.S.; prohibiting the creation or use of false or fraudulent motor vehicle insurance cards; providing penalties; amending s. 921.0022, F.S.; revising the offense severity ranking chart of the Criminal Punishment Code to reflect changes in penalties and the creation of additional offenses under the act; repealing s. 456.0375, F.S., relating to the regulation of clinics by the Department of Health; providing effective dates.

By the Committee on Criminal Justice; and Senator Dawson—

CS for SB 1224—A bill to be entitled An act relating to leaving children unattended or unsupervised in a motor vehicle; amending s. 316.6135, F.S.; revising the elements of the noncriminal infraction to prohibit leaving a child younger than a specified age unattended or unsupervised in a motor vehicle for any period of time; increasing a penalty and providing additional penalties; providing an effective date.

By the Committee on Education; and Senators Lynn and Wasserman Schultz—

CS for SB's 1268 and 1392—A bill to be entitled An act relating to the state lottery; amending ss. 24.115, 24.121, and 1010.70, F.S.; providing that all unclaimed prize money shall be deposited in the Educational Enhancement Trust Fund; providing an effective date.

By the Committee on Regulated Industries; and Senator Bennett—

CS for SB 1286—A bill to be entitled An act relating to construction defects; providing legislative findings and declaration; providing definitions; providing for the dismissal of dwelling actions under certain circumstances; providing for notice and opportunity to repair; providing prerequisites to bringing an action based on alleged construction defects; providing for inspections; providing evidentiary presumptions; providing for tolling a statute of limitations; providing for certain notifications to the purchaser at the time of sale; providing for requirements before condominium, cooperative, or homeowners' associations may bring lawsuits relating to construction defects; creating a crime relating to instigating litigation; providing penalties; requiring use of a contractor to perform destructive testing; providing responsibility for repairing damage caused by testing; providing severability; providing an effective date.

By the Committee on Rules and Calendar; and Senator Saunders—

CS for SM 1296—A memorial to the Congress of the United States, urging Congress to include in its economic-stimulus legislation tax incentives for building owners who upgrade their firesafety systems consistent with the firesafety provisions of the National Fire Protection Association's Life Safety Code in existing high-rise buildings.

By the Committees on Education; Commerce, Economic Opportunities, and Consumer Services; and Senators Garcia, Constantine and Carlton—

CS for CS for SB's 1334, SB 534 and SB 360—A bill to be entitled An act relating to school readiness programs; implementing s. 1(b) and (c), Art. IX of the State Constitution; creating the voluntary universal prekindergarten education program within the Agency for Workforce Innovation; limiting the application of provisions relating to school readiness programs; requiring the State Board of Education to submit a report with recommendations on the curriculum, design, and standards of the voluntary universal prekindergarten education program; directing the Office of Program Policy Analysis and Government Accountability and the Auditor General to conduct audits and submit reports to the Governor and Legislature; providing an effective date.

By the Committee on Criminal Justice; and Senator Bennett—

CS for SB 1350—A bill to be entitled An act relating to disposition of civil penalties; amending s. 318.21, F.S.; requiring the use of civil penalties to fund local law enforcement automation or communications under certain circumstances; providing an effective date.

By the Committee on Rules and Calendar; and Senator Klein—

CS for SM 1360—A memorial to the Congress of the United States, urging Congress to grant without further delay Puerto Rico's pending petition for a federally sanctioned plebiscite to establish and define the political status and electoral rights of United States citizens of Puerto Rico.

By the Committee on Education; and Senator Clary—

CS for SB 1418—A bill to be entitled An act relating to funding for school districts; authorizing district school boards to expend in their operating budgets nonvoted capital improvement millage; specifying certain conditions and restrictions; providing for transfer of proceeds by budget amendment approved by the district school board; providing an effective date.

By the Committee on Criminal Justice; and Senator Lynn—

CS for SB 1470—A bill to be entitled An act relating to juvenile justice; amending s. 790.22, F.S.; eliminating a requirement that the

Department of Juvenile Justice forward information relating to detained juveniles to the Office of Economic and Demographic Research; amending s. 984.06, F.S.; clarifying provisions limiting the public availability of court records relating to children and families in need of services; amending s. 985.201, F.S.; extending the court's jurisdiction until a specified age with respect to juveniles who must complete certain commitment programs; amending s. 985.2075, F.S.; expanding authority of youth custody officers; amending ss. 985.213 and 985.215, F.S.; authorizing a child's participation in specified court hearings by telephone or video teleconference; amending s. 985.231, F.S.; authorizing the Department of Juvenile Justice to file an affidavit alleging violations of a juvenile's probation program; clarifying the age of juveniles for court jurisdiction regarding residential commitment; amending s. 985.404, F.S.; creating the Auxiliary Juvenile Justice Program within the department; providing program requirements; authorizing auxiliary officers to supervise certain juveniles; requiring training and certification; providing for reimbursement for travel and per diem expenses; amending s. 287.042, F.S.; providing that contracted provider organizations, when acting as agents of the department, are exempt from competitive solicitation requirements; providing an effective date.

By the Committee on Rules and Calendar; and Senators Crist and Bullard—

CS for SM 1472—A memorial to the Congress of the United States urging Congress to provide federal funding for a full accounting of those missing from our nation's wars, including any Florida resident who is classified as a United States Prisoner of War/Missing in Action (POW/MIA).

By the Committee on Banking and Insurance; and Senators Aronberg, Fasano and Lawson—

CS for SB 1580—A bill to be entitled An act relating to consumer protection; creating ss. 501.165, 501.166, F.S.; prohibiting the use of deception to obtain certain personal information for commercial solicitation purposes; prohibiting the sale or disclosure of personal customer information by persons in bankruptcy; amending s. 501.2075, F.S.; providing an exception to a civil penalty; creating s. 501.2076, F.S.; prohibiting falsely representing oneself as being affiliated with a law enforcement or firefighting agency or public utility; providing a penalty; providing that a violation of s. 817.568, F.S., is an unfair or deceptive act or practice or unfair method of competition in violation of part II of ch. 501, F.S.; providing penalties; providing an effective date.

By the Committee on Criminal Justice; and Senators Aronberg, Wilson, Atwater and Crist—

CS for SB 1588—A bill to be entitled An act relating to drug abuse prevention and control; amending s. 893.13, F.S.; prohibiting the sale, manufacture, or delivery of controlled substances, or possession of controlled substances with intention to sell, manufacture, or deliver, within 1,000 feet of certain educational institutions, described housing facilities, and any state, county, or municipal park or publicly owned recreational facility or community center; providing a definition; providing penalties; amending s. 921.0022, F.S.; ranking such offenses on the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

By the Committee on Criminal Justice; and Senators Fasano and Argenziano—

CS for SB 1630—A bill to be entitled An act relating to securities transactions; amending s. 517.191, F.S.; authorizing the Attorney General to enforce certain provisions, initiate certain actions, and bring civil actions to recover civil penalties, costs, and attorney's fees; amending s. 517.221, F.S.; increasing the administrative penalties for certain violations; amending s. 517.302, F.S.; increasing the criminal penalty for violations of specified sections of ch. 517, F.S.; providing an effective date.

By the Committee on Criminal Justice; and Senators Diaz de la Portilla and Argenziano—

CS for SB 1856—A bill to be entitled An act relating to law enforcement officers and correctional officers; amending s. 112.532, F.S.; revising provisions relating to disciplinary actions against officers; providing grounds for civil actions by officers; providing for officers to obtain investigative reports; revising guidelines for questioning officers who are being investigated; amending s. 112.533, F.S.; providing for legal counsel or a representative of the officer's choice to review a complaint filed against the officer and all statements made by the complainant and witnesses; providing an effective date.

By the Committee on Criminal Justice; and Senator Geller—

CS for SB 1928—A bill to be entitled An act relating to complaints against health care practitioners; amending s. 456.073, F.S.; providing that a state prisoner must exhaust all available administrative remedies before filing a complaint with the Department of Health against a health care practitioner who is providing health care services within the Department of Corrections, unless the practitioner poses a serious threat to the health or safety of a person who is not a state prisoner; requiring the Department of Health to be notified if a health care practitioner is disciplined or allowed to resign for a practice-related offense; providing an effective date.

By the Committee on Regulated Industries; and Senator Bennett—

CS for SB 1952—A bill to be entitled An act relating to electrical and alarm system contracting; amending s. 489.517, F.S.; requiring certificateholders and registrants to have continuing education on false alarm prevention; amending s. 489.518, F.S.; revising qualifications for burglar alarm system agents; requiring additional criminal background check; removing an exemption from training requirements for persons who only perform sales; authorizing employment as an alarm system agent or burglar alarm system agent under supervision for a specified period pending completion of training and the criminal background check; providing format, validity period, and renewal requirements for burglar alarm system agent identification cards; requiring an updated criminal background check of each burglar alarm system agent renewing certification; providing continuing education requirements for burglar alarm system agents; amending s. 489.5185, F.S.; revising qualifications for fire alarm system agents; requiring additional criminal background check; requiring an updated criminal background check of each fire alarm system agent renewing certification; requiring fire alarm system agents to have continuing education on false alarm prevention; amending s. 489.529, F.S.; requiring a second alarm-verification call if the first call is unanswered; providing an effective date.

By the Committee on Banking and Insurance; and Senator Margolis—

CS for SB 1960—A bill to be entitled An act relating to service of process against the Florida Automobile Joint Underwriting Association; amending s. 627.311, F.S.; specifying that the Florida Automobile Joint Underwriting Association appoints its general manager as agent for service of process purposes; providing a limitation relating to method of service of process; providing an effective date.

By the Committee on Natural Resources; and Senators Smith and Lynn—

CS for SB 2042—A bill to be entitled An act relating to state reserves; creating s. 258.166, F.S.; establishing the George Kirkpatrick State Reserve; directing the Office of Greenways and Trails of the Department of Environmental Protection to develop multipurpose recreational opportunities and provide supervision of the area; allowing public hunting; authorizing the Division of State Lands to acquire adjacent or contiguous property; requiring the Division of State Lands to notify persons with easements in the area; requiring a report; providing an effective date.

By the Committee on Education; and Senator Webster—

CS for SB 2242—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; providing guiding principles; requiring an emphasis on reading; authorizing a state university or community college to sponsor a charter school; requiring certain accountability measures; revising application requirements; requiring fiscal projections in a charter application; extending the time allowed for the State Board of Education to act on an appeal; requiring auditors to provide notification of certain financial conditions; providing additional requirements for a charter school's annual report; eliminating limitations on the number of charter schools per school district; creating the Charter School Accountability and Funding Authority and providing purpose, composition, and duties; eliminating a review panel; revising provisions relating to the analysis of charter school performance; amending s. 1002.32, F.S.; correcting cross-references; providing duties with respect to lab schools; amending s. 1013.62, F.S.; requiring the Charter School Accountability and Funding Authority to recommend allocations of capital outlay funds to charter schools; eliminating a formula for providing allocations; providing an effective date.

By the Committee on Natural Resources; and Senator Dockery—

CS for SB 2260—A bill to be entitled An act relating to water policy; repealing s. 373.0693(11), F.S.; deleting a provision requiring legislative approval to abolish or combine basins existing within the Southwest Florida Water Management District; amending s. 373.451, F.S.; revising legislative intent with respect to the Surface Water Improvement and Management Act; deleting requirement that state and local funds be provided for certain purposes; amending s. 373.453, F.S.; revising criteria to be applied in determining the priority of water bodies under surface water improvement and management plans and programs; providing for periodic lists of water bodies of regional or statewide significance; authorizing participation by additional persons in the development of plans and programs; deleting certain reporting requirements; requiring identification of potential funding sources for the plans and programs; requiring review of plans developed by water management districts by various state agencies within a specified time; deleting the requirement that state agencies be on certain advisory committees; authorizing water management districts to enter into contracts with governmental agencies regarding the development and implementation of water improvement and management programs; amending s. 373.459, F.S.; providing for appropriation of funds for surface water improvement and management activities by water management districts; providing for release of funds by the Department of Environmental Protection; repealing s. 373.455, F.S., relating to review of surface water improvement and management plans; repealing s. 373.456, F.S., relating to approval of surface water improvement and management plans; repealing s. 373.457, F.S., relating to implementation of surface water improvement and management plans and programs; amending ss. 259.101, 373.4136, 403.067, and 403.1835, F.S.; deleting cross-references; providing an effective date.

By the Committee on Education; and Senator Carlton—

CS for SB 2296—A bill to be entitled An act relating to K-20 education accountability; amending s. 1008.31, F.S.; expanding legislative intent for the K-20 education performance accountability system; providing requirements and an implementation schedule for performance-based funding; providing mission, goals, and measures; requiring collection of certain data; requiring the State Board of Education to conduct a study of equivalency scores for certain examinations of certain students; authorizing the State Board of Education to adopt certain equivalency scores as meeting graduation requirements in lieu of FCAT passing scores; defining eligible students; providing for the use of certain funds; providing an effective date.

By the Committee on Criminal Justice; and Senators Fasano and Argenziano—

CS for SB 2366—A bill to be entitled An act relating to aggravated child abuse; amending s. 827.03, F.S.; defining the term "maliciously" for

purposes of the offense of aggravated child abuse; providing an effective date.

By the Committee on Education; and Senator Bullard—

CS for SB 2380—A bill to be entitled An act relating to educational personnel; amending s. 1012.56, F.S.; revising the requirements for mastery of general knowledge, mastery of subject area knowledge, and mastery of professional preparation and education competence for a valid standard teaching certificate issued by another state; providing an effective date.

By the Committee on Banking and Insurance; and Senator Diaz de la Portilla—

CS for SB 2414—A bill to be entitled An act relating to warranty association regulation; amending ss. 634.031, 634.303, and 634.403, F.S.; exempting affiliates of insurers from provisions regulating certain warranty associations, under certain circumstances; providing for non-application of the exemptions under certain circumstances; providing an effective date.

By the Committee on Regulated Industries; and Senator Clary—

CS for SB 2464—A bill to be entitled An act relating to engineering; amending s. 471.013, F.S.; revising examination requirements; amending s. 471.015, F.S.; conforming provisions; amending s. 471.023, F.S.; revising terminology relating to legal entities involved in offering engineering services; amending s. 471.033, F.S.; providing for the imposition of restitution as a penalty for disciplinary violations; amending s. 471.038, F.S.; deleting obsolete language; deleting certain management powers and duties of the Department of Business and Professional Regulation over the Florida Engineers Management Corporation; deleting a bond requirement for certain employees of the corporation; revising the date an annual report is due; transferring certain functions of the department to the board; providing an effective date.

By the Committee on Banking and Insurance; and Senator Webster—

CS for SB 2518—A bill to be entitled An act relating to insurance; amending s. 624.310, F.S.; revising definitions; conforming provisions to a revised definition; conforming provisions to certain governmental reorganization; prohibiting affiliated parties from certain activities constituting a conflict of interest; providing exceptions; authorizing the Office of Insurance Regulation to require certain disclosures of personal interest; specifying certain restrictions governing affiliated party conduct; amending s. 624.316, F.S.; deleting provisions providing for an examination of an insurer pursuant to an agreement between the Department of Financial Services and the insurer; requiring such examinations according to rules of the department; amending s. 624.4095, F.S.; conforming provisions to certain governmental reorganization; providing for calculating certain surplus for certain insurers; amending s. 624.610, F.S.; conforming provisions to certain governmental reorganization; revising requirements for securities of a trust fund for a single assuming insurer; amending ss. 628.461 and 628.4615, F.S.; specifying additional nonapplication of acquisition of controlling stock provisions to changes of ownership of a domestic insurer or specialty insurer, respectively, under certain circumstances; creating ss. 634.042, 627.8401, 634.3076, 634.4062, and 651.029, F.S.; prohibiting certain investments by motor vehicle service agreement companies, premium finance companies, home warranty associations, service warranty associations, and continuing care providers, respectively; amending s. 440.20, F.S.; correcting a cross-reference; providing an effective date.

By the Committee on Banking and Insurance; and Senator Posey—

CS for SB 2556—A bill to be entitled An act relating to the Florida Hurricane Catastrophe Fund; amending s. 215.555, F.S.; revising the definition of “covered policy”; conforming provisions to the creation of the

Citizens Property Insurance Corporation; providing definitions; authorizing the State Board of Administration to adopt rules to specify interest on past due remittances; increasing the aggregate exposure of insurers who may be exempt by rule; revising the maximum amount for which the board is obligated to reimburse insurers for a contract year; authorizing the Office of Insurance Regulation, rather than the Department of Insurance, to take certain actions relative to the fund; providing that emergency assessments are to be levied against insureds procuring certain types of insurance from surplus lines insurers; increasing the maximum assessment that may be levied against assessable insurers and assessable insured; requiring that emergency assessments on assessable insureds be remitted to the Florida Surplus Lines Service Office; specifying that emergency assessments are not premiums subject to taxes, fees, or commissions; providing that reinsurance procured by the board must be from reinsurers acceptable to the Office of Insurance Regulation; clarifying the fiscal year used to determine investment income for purposes of calculating the maximum amount that may be appropriated by the Legislature for mitigation purposes; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Funeral Directors and Embalmers	
Appointees: Hall, Alfonza L., Tallahassee	10/31/2006
Matt, Dwayne Elliott, St. Petersburg	10/31/2006
Florida Real Estate Appraisal Board	
Appointees: Birch, Patricia J., Miami	10/31/2006
McDonell, Mark A., Tampa	10/31/2005
South Florida Regional Planning Council, Region 11	
Appointee: Mapes, Lynn C., Grassy Key	10/01/2003
Florida Space Authority	
Appointee: Pickavance, William W., Jr., Melbourne	06/30/2006
Board of Professional Surveyors and Mappers	
Appointee: Armenteros, Omar, Coral Gables	10/31/2006
Florida Commission on Tourism	
Appointee: Jackson, Richard M., Orlando	06/30/2005
Florida Transportation Commission	
Appointees: Brown, C. David II, Windermere	09/30/2006
Durden, K. Earl, Panama City Beach	09/30/2006
Alafia River Basin Board of the Southwest Florida Water Management District	
Appointees: Harris, Wayne L., Ruskin	03/01/2006
Kixmiller-Shamblin, Brenda Lee, Plant City	03/01/2006
Coastal Rivers Basin Board of the Southwest Florida Water Management District	
Appointee: Miskimen, George W., Crystal River	03/01/2006
Hillsborough River Basin Board of the Southwest Florida Water Management District	
Appointee: Johnson, Fred O., Plant City	03/01/2006
Pinellas-Anclote River Basin Board of the Southwest Florida Water Management District	
Appointee: Fischer, Rodney S., Palm Harbor	03/01/2006

[Referred to the Committee on Ethics and Elections.]

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Governors		Appointees: Bagué, Irela, Coral Gables	03/01/2007
Appointees: Petway, Thomas F. III, Jacksonville	To Be Determined by the Florida Legislature	McCarty, Kevin, Delray Beach	03/01/2007
		Williams, Trudi K., Ft. Myers	03/01/2007
Zachariah, Zachariah P., Sea Ranch Lakes	To Be Determined by the Florida Legislature	Governing Board of the Southwest Florida Water Management District	
		Appointee: Rice, Talmadge G., Dade City	03/01/2007
		[Referred to the Committees on Natural Resources; and Ethics and Elections.]	
Board of Trustees, Florida Atlantic University		Secretary of Transportation	
Appointee: Adams, Scott H., Boca Raton	To Be Determined by the Florida Legislature	Appointee: Abreu, Jose, Miami Lakes	Pleasure of Governor
		[Referred to the Committees on Transportation; and Ethics and Elections.]	
MESSAGES FROM THE HOUSE OF REPRESENTATIVES			
FIRST READING			
Board of Trustees, Florida State University		The Honorable James E. “Jim” King, Jr., President	
Appointee: Duda, Emily June, Oviedo	To Be Determined by the Florida Legislature	I am directed to inform the Senate that the House of Representatives has passed HB 803 and requests the concurrence of the Senate.	
		<i>John B. Phelps, Clerk</i>	
Board of Trustees, Florida Gulf Coast University			
Appointee: Lee, René Francis, Port Charlotte	To Be Determined by the Florida Legislature		
		By Representative Barreiro and others—	
Board of Trustees, University of North Florida		HB 803 —A bill to be entitled An act relating to special observances; creating s. 683.195, Florida Statutes; designating the month of January of each year as “Florida Jewish History Month”; providing for a procla- mation by the Governor to that effect; providing an effective date.	
Appointee: Kendrick, Wanyonyi, Jacksonville	To Be Determined by the Florida Legislature	—was referred to the Committee on Governmental Oversight and Productivity.	
Board of Trustees, University of South Florida			
Appointees: Cancio, Margarita R., Tampa	To Be Determined by the Florida Legislature	RETURNING MESSAGES—FINAL ACTION	
		The Honorable James E. “Jim” King, Jr., President	
Ramil, John B., Tampa	To Be Determined by the Florida Legislature	I am directed to inform the Senate that the House of Representatives has passed CS/SB 160.	
		<i>John B. Phelps, Clerk</i>	
Board of Trustees, University of West Florida		The bill contained in the foregoing message was ordered enrolled.	
Appointee: Epps, Lornetta Taylor, Pensacola	To Be Determined by the Florida Legislature	CORRECTION AND APPROVAL OF JOURNAL	
		The Journal of April 3 was corrected and approved.	
[Referred to the Committees on Education; and Ethics and Elections.]			
Governing Board of the Northwest Florida Water Management District		CO-SPONSORS	
Appointees: Estes, Joyce S., Eastpoint	03/01/2007	Senators Argenziano—CS for SB 294, SB 726, CS for SB 1220, SB	
McMullian, L. E., Jr., Sneads	03/01/2007	2000, SB 2368; Aronberg—CS for SB 266; Bennett—CS for SB 2054; Bullard—CS for SB 1100, SB 1736, SB 2142, SB 2164; Campbell—CS for SB 2266, SB 2640; Cowin—SB 1916, SB 2082, SJR 2250; Crist—CS for SB 1438; Diaz de la Portilla—SB 2096; Lynn—CS for SB 1164, CS for SB 1220, CS for SB 1248, SB 2362; Margolis—SB 1638; Siplin—SB 2596, SB 2640	
Governing Board of the St. Johns River Water Management District		RECESS	
Appointees: Albright, Robert Clayton, Ocala	03/01/2007	On motion by Senator Lee, the Senate recessed at 4:23 p.m. for the	
Long, Ometrias Deon, Apopka	03/01/2007	purpose of holding committee meetings and conducting other Senate	
Sowinski, John G., Orlando	03/01/2007	business to reconvene at 9:45 a.m., Thursday, April 10 or upon call of the President.	
Governing Board of the South Florida Water Management District			

SENATE PAGES

April 7-11, 2003

Christopher Anglin, Longwood; Christopher Baker, Tallahassee; Jody
“Zach” Barnes, Wewahitchka; Christie Anne Bell, Babson Park; Jeff

Boegli, New Port Richey; Heather Drew, Tallahassee; Charles Garrison,
Middleburg; Stephane Grieco, French Exchange Student, Tallahassee;
Alexander Leffew, Chiefland; Heather Navickas, Casselberry; Deldra
Marie Owens, Miami; Gregory D. Owens, Miami; Spencer F. Pitman,
Jacksonville; Brittany Phillips, Miami; Drew Thompson, Perry; Brandy
Williams, Tallahassee